



AMENDMENT TRANSMITTAL LETTER			After Final Rejection	
Application No. 10/783,796	Filing Date February 20, 2004	Examiner A. F. Dixon	Group Art Unit 3771	
Applicant(s): Brian Barney, David O'Leary, Esther Perea-Borobio, Sophia Chew, Rachel Striebig, and Andrew Dickson			Docket No. TEVNH 3.0-071	

Invention: PRE-METERED DOSE MAGAZINE FOR DRY POWDER INHALER

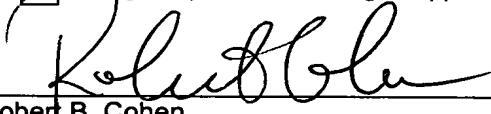
TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	13	- 36 =	0	x 52.00	0.00
Independent Claims	3	- 4 =	0	x 220.00	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

- ☒ Large Entity ☐ Small Entity
- ☒ No additional fee is required for this amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of _____.
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 12-1095 as described below. A duplicate copy of this sheet is enclosed.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.


Robert B. Cohen
Attorney Reg. No. 32,768

Dated: October 17, 2008

LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP
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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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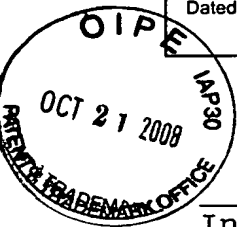
Signature: 

(Robert B. Cohen)

EXPEDITED PROCEDURE

Group Art Unit: 3771

Docket No.: TEVNHC 3.0-071



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Barney et al.

Application No.: 10/783,796

Filed: February 20, 2004

For: PRE-METERED DOSE MAGAZINE FOR
DRY POWDER INHALER

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: Group Art Unit: 3771
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: Examiner: A. F. Dixon
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AMENDMENT UNDER 37 CFR 1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated June 3, 2008, finally rejecting claim 17 , please amend the above-identified U.S. patent application as follows: